

**Village of Brewster  
Planning Board Meeting Minutes  
July 20, 2021**

**BOARD MEMBERS:**

Rick Lowell, Chairman  
Janet Ward, Vice Chairperson  
David Kulo  
Marti Foster  
Katy New

**PROFESSIONAL ADVISORS:**

Greg Folchetti, Attorney - Costello & Folchetti  
Todd Atkinson, PE – J.R. Folchetti & Associates  
George Gaspar, Village Trustee Liaison to Planning Board

Chairman Lowell led the Board in the Pledge of Allegiance, whereupon the proceedings were called to order at 7:30pm.

**PUBLIC HEARING:**

**28 Eastview, Tax Map ID 56.19-2-11, R20 District:**

Chris DeBellis of DeBellis Construction and Brian Stokosa appeared before the Board representing this application.

Chairman Lowell said this is a Public Hearing on the desire of the owner of 56.19-2-11 in the R20 District who wishes to extend and upgrade the existing driveway along Eastview Avenue to a Village Road terminating in a hammerhead cul-de-sac with improvements to water, sewer, and power provided. He said the ultimate goal is the division of that lot into three whole lots and some public land with the processing and maintenance of the system to build a stormwater pollution prevention system. Chairman Lowell said if there are any comments from the public, we will hear them now. There was no public comment.

Mr. Folchetti said there are some offers and dedications that are going to the Village Board and the Village Board of Trustees has not had an opportunity to review them so I think the smartest thing to do would be to leave the Public Hearing open until such time as the Board has had its opportunity to comment on it and if they are inclined to accept the improvements for dedication and then we can incorporate that into whatever conditions of final approval. He said I think it is probably premature to close the Public Hearing if there are any type of design changes that would be necessitated by what is presented to the Village Board.

Chairman Lowell said I will make a motion that the Public Hearing will be held open until our next meeting on August 17, 2021, seconded by Boardmember Ward and passed all in favor.

**REGULAR MEETING:**

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Boardmember Ward made a motion to open the regular meeting, seconded by Boardmember New, and passed all in favor.

Boardmember Ward said I have questions about Mr. Atkinson's memo. Mr. Atkinson said I have taken a couple of comments off that Mr. Stokosa has already taken care of. He said there are still a few items that we need to work through that are really housekeeping items, but not items that will change the majority of the design and more about connections for the sewer line and such.

Boardmember Ward said the dedications are the dark lines where the property lines are. Mr. Atkinson reviewed the boundaries with Boardmember Ward. Boardmember Ward said who is mowing the areas that are Village property and Mr. Atkinson said that is a question that the Village Board will probably bring up. He said the way it is done now is that any area that is within the Village right of way, the Village mows so that would become part of the Village right of way. Mr. Atkinson said that is a discussion we may want to have as far as who is going to maintain that area, but that would be for the Village Board to decide.

Chairman Lowell said as far as the grass is concerned shouldn't that be the homeowner's responsibility as well as the driveway to the curb. Mr. Atkinson said yes, I agree and think that is a discussion we can have with the Village Board. Boardmember Ward said the Village owns from here to here and the property ownership starts here then their property is not touching a public right of way. Mr. Atkinson said there is still frontage on the public right of way and there will be a dedication of the frontage. Boardmember Ward said my experience is that I have to have access to a public road. Mr. Atkinson said the public right of way goes right to the property line even though the road is not there. Mr. Folchetti said you are distinguishing between the edges of what will be the right of way and the edge of the improvement. Boardmember Ward showed on the plans where the property line is and ownership ends and then the Village would own parts of the driveway. Mr. Stokosa said most subdivision roads would have a portion that is right of way so there is always a sliver of land that is in between. Mr. Atkinson said the Village would be responsible for where the hammerhead ends and the property owner will have to maintain the portion from the hammerhead to their property. Boardmember Ward said should there be something written like an easement or something that says they must maintain that portion of the property. Chairman Lowell said what is the law in the Village today. Mr. Folchetti said the right of way varies in its proximation to where you think your property line ends and the right of way begins, but without an actual staked out survey you can't know. He said the general rule is: where the edge of pavement ends is not necessarily the end of the municipality's ownership of the right of way because it usually goes somewhere further past that. Boardmember Ward said I am saying it is sort of a no-man's land so we need to paper it in some way. Mr. Stokosa said we are going to file the subdivision map so we will have clear indication, we can maybe even do a separate blow up that clearly defines the maintenance responsibility. Mr. Atkinson said I know in my subdivision, there is a 12-ft. wide from the curb to my property line that they call a snow easement that is town

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property but I have to maintain across that area. Mr. Folchetti said it is something you can make a condition of final approval.

Boardmember Ward said you asked for the deed but we do not have a survey. Mr. Atkinson said they provided the deed and the survey I have a copy of and read through it and do not see any issues with it.

Mr. Atkinson said there are a few paper roads in this area. There is a paper road that they are going to turn into a road and there is another paper road that goes between 22 and 20. The Board reviewed the paper roads in this area.

Boardmember Ward said in the construction sheet it looks like there is going to be an asphalt curb. Mr. Atkinson said it will be concrete. Mr. Stokosa said the intention is to match town specs and that's where Todd and I need to get together and coordinate details.

Mr. Atkinson and Boardmember Ward reviewed the stormwater drainage briefly. Mr. Atkinson said they are going to take the roof water and put it into a Cultec chamber in the ground and it will infiltrate into the ground so there is no runoff. Boardmember Ward that is keeping the runoff from going down the hill. Mr. Atkinson said correct, it is actually to meet the DEP and DEC standard right now as they are creating approximately 24,000 sq. ft. of impervious surface. He said the turnaround will be handled by an infiltration system just to the south of it within the deeded right of way and each of the houses will have the Cultec system installed as well as a level spreader between the driveways.

Boardmember Kulo said the whole subdivision will be underground lines. Mr. Atkinson said that's correct although they are still working with NYSEG. He said there will be a transformer located probably near the hammerhead area and then underground to each house. Boardmember Kulo said there will be street lighting. Mr. Atkinson said I think they were calling it an entranceway or pillar light at the end of the driveways.

Boardmember Kulo said have you received comments from DPW. Mr. Atkinson said he was the one who changed the design from a cul-de-sac to a hammerhead to create less impervious surface. He said he has concerns with water in the sense that he wants to see how the final connections will be made as well as from a sewer standpoint.

**530 North Main Street:**

Chairman Lowell said Mr. Atkinson, you had some comments you wanted to make about this location. Mr. Atkinson said yes, this is the property on the corner of Wells and North Main Street. He said there were concerns about changes that were wanted to be discussed by the Planning Board and I met with myself, Bill Scorca, Dominick, Dr. Aqueel, and Joe (the site contractor), and Joe Corvello who is his concrete guy. He said we were trying to figure out how to handle the sidewalks and one idea was on North Main to change the sidewalk from a 4-1/2 ft. sidewalk with shrubs to all sidewalk

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making it an 8 ft. sidewalk. He said there is a large stop sign at the corner of Wells that needs to stay due to people not stopping and this would eliminate the issue of having to change this sign. Chairman Lowell said I like the 8 ft. sidewalk. He said going up Wells would be a 4-1/2 ft. sidewalk to the telephone pole otherwise the pole will be in the middle of the sidewalk. Boardmember Ward said it's a good location for a wide sidewalk since there is a bus stop there.

Boardmember Ward said is the stormwater plan still going to be sufficient. Mr. Atkinson said the difference between what was installed and what was designed, the capacity was built in and oversized initially so that extra 2 ft. of sidewalk will not affect it.

Boardmember Ward said is the area inside the wall for the parking correct. Mr. Atkinson said the question of whether the building is in the correct spot came up and Mr. Scorca found a staking letter from the surveyor showing that the building is in the right spot and the wall is as well.

Chairman Lowell said is the wall going up Wells sufficient in height. Mr. Atkinson said there will be wall and then a 4 ft. wrought iron fence on top of it and that is up to Code.

Chairman Lowell said does anyone have any other questions. Boardmember Ward said did we ever finish up with the building behind Norm's. Chairman Lowell said yes, we have an approved resolution.

Mr. Atkinson said we finished up with the building by the Methodist Church as well. Boardmember Kulo said were those pillars round before. Boardmember New said those pillars were beautiful and they are not the same.

The minutes of May 18, 2021 will be moved to the July 2021 meeting due to lack of board member presence that was familiar with that meeting.

**NEW BUSINESS:**

There was no new business to discuss.

Boardmember Kulo made a Motion to adjourn the meeting, seconded by Boardmember Ward, and passed all in favor.